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I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO: BOX PATENT APPLICATION, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231

TYPED NAME Darryl Kriner

SIGNED _____

NEW PATENT APPLICATION TRANSMITTAL

Date: October 31, 2001

NO.: A-70829/ENB/VEJ

PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of Inventors: **Mark D. Markel**

For: **METHOD FOR TREATING TISSUE IN ARTHROSCOPIC ENVIRONMENT**

☒ Applicant claims small entity status. See 37 CFR 1.27.

Enclosed are also:

- ☐ Information Disclosure Statement (IDS)/PTO-1449; copies of IDS citations
- ☒ 2 Sheets of drawings (Including FIGS. 1-6), Formal ☐, Informal ☒
- ☒ An Assignment of the invention to: ORATEC INTERVENTIONS, INC.
Cost of recording to be charged to Deposit Account No. 06-1300 (Order No. A- /)
- ☒ Power of Attorney by Assignee & Exclusion of Inventor Under 37 CFR 3.71
- ☐ Combined Declaration and Power of Attorney for Patent Application
- ☒ Declaration for Patent Application
- ☐ Associate Power of Attorney
- ☒ Request and Certification under 35 U.S.C. 122(b)(2)(i) with attached form PTO/SB/35
- ☐ Genetic Sequence Submission: Paper copy, Computer Readable Copy; Statement Verifying Identical Paper and Computer Readable Copy

	(Col. 1) NO. FILED	(Col. 2) NO. EXTRA	SMALL ENTITY		OTHER THAN SMALL ENTITY	
			RATE	FEE	RATE	FEE
BASIC FEE				\$370		\$740
TOTAL CLAIMS	15 - 20 = 0	0	x 9 =	\$0	x 18 =	\$
INDEPENDENT CLAIMS	2 - 3 = 0	0	x 42 =	\$0	x 84 =	\$
MULTIPLE DEPENDENT CLAIM PRESENTED			+135 =	\$	+270 =	\$
If the difference in Col 1 is less than zero, enter "0" in Col. 2			TOTAL	\$370	TOTAL	\$

☒ Our Check No. 38295 in the amount of \$370.00 to cover the filing fee is enclosed.

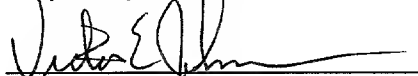
☒ Our Check No. 38293 in the amount of \$40.00 to cover the recordation fee is enclosed.

☐ This application is filed under 37 C.F.R. § 1.53(b) without the filing fee. M.P.E.P. § 601.01(a)

☐ This application is a continuing application under 35 U.S.C. 120/121 of U.S. Patent Application Serial No. _____, filed _____, which is a continuing application under 35 U.S.C. 120/121 of U.S. Patent Application Serial No. _____, filed _____, which claims priority to U.S. Provisional Patent Application Serial No. No. _____, filed _____.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Order No. A-70829/ENB/VEJ).

Respectfully submitted,



Victor E. Johnson
Reg. No. 41,546

Correspondence address:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4187
Telephone: (415) 781-1989 Fax: (415) 398-3249

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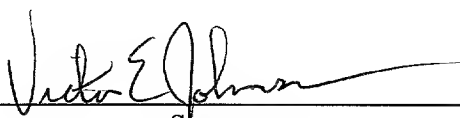
**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Mark D. Markel
Title	METHOD FOR TREATING TISSUE IN ARTHROSCOPIC ENVIRONMENT
Attorney Docket Number	A-70829/ENB/VEJ

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b)

October 31, 2001

Date


Signature

Victor E. Johnson, Reg. No. 41,546

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122 (b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENT TO: Assistant Commissioner for Patents, Washington, DC 20231.

cc: FHTAH DOCKETING

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